

Application No.: 10/561,175

Docket No.: 37998-237505

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Henot et al.

Art Unit: 1644

Application No: 10/561,175

Examiner: S. X. Wen

Confirmation No: 1959

Filed: February 16, 2006

Atty. Docket No: 37998-237505

Customer No:

For: EPITOPE COMPOSITION FOR  
SUBLINGUAL, BUCCAL OR ENTERIC  
ADMINISTRATION PREPARED BY  
HYDROLYSIS OF ANTIGENIC  
STRUCTURES WITH CHYMOTRYPSIN

**26694**

PATENT TRADEMARK OFFICE

**REQUEST FOR REFUND**

Mail Stop Refunds  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

For the above-identified patent application, please refund \$525.00 to Deposit Account No. 22-0261.

On February 16, 2006, Applicants designated Small Entity Status for the above-identified application. On May 18, 2007, Applicants paid the fee for Small Entity when submitting a Three-Month Petition for Extension of Time and Response to Restriction Requirement. On January 25, 2008, Applicants inadvertently paid a fee in the amount of \$1,050.00 for Large Entity status when filing a Three-Month Petition for Extension of Time, along with a Fee Transmittal and an Amendment.

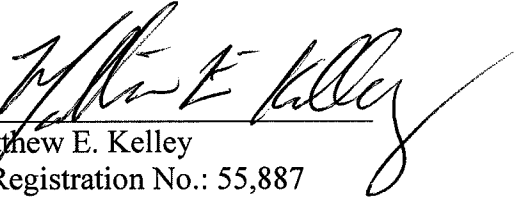
The Petition for Extension of Time and Fee Transmittal filed with Applicants Amendment on January 25, 2008 incorrectly indicated that the application is a Large Entity, when the application is, in fact, a Small Entity, as acknowledged by the attached copy of the Official Filing Receipt. The Fee Transmittal requested that the filing fees be charged against Deposit Account No. 22-0261. A copy of the Petition for Extension of Time, Fee Transmittal and copy of Official Filing Receipt are enclosed.

A statement for the Deposit Account No. 22-0261 indicating that \$1,050.00 was charged thereto on January 28, 2008 is also enclosed.

Therefore, pursuant to 37 C.F.R. §1.26, please refund \$525.00 to Deposit Account No. 22-0261.

Dated: *February 10, 2009*

Respectfully submitted,

By   
Matthew E. Kelley  
Registration No.: 55,887  
VENABLE LLP  
P.O. Box 34385  
Washington, DC 20043-9998  
(202) 344-4000  
(202) 344-8300 (Fax)  
Attorney/Agent For Applicant

01/28 4	PAYMENT		9203	-\$22,257.01	\$117,593
01/28 3021	11921100	31229-253281	8021	\$40.00	\$117,553
01/28 3583	60818339	37998-237525 & 247231	8021	\$80.00	\$117,473
01/28 3669	11812512	37998-247231	8021	\$40.00	\$117,433
01/28 7003	11932958	80338.250640	8021	\$40.00	\$117,393
01/28 125	10865428	1014-US2	1806	\$180.00	\$117,213
01/28 126	11355336	1014 US3	1806	\$180.00	\$117,033
01/28 231	09666144	273944	1251	\$120.00	\$116,913
01/28 8718	77381524	40512-255614	7001	\$325.00	\$116,588
01/28 8733	77381530	31527-254250	7001	\$325.00	\$116,263
01/28 8749	77381535	43823-255395	7001	\$325.00	\$115,938
01/28 6	78979783	52140-230757	6001	\$375.00	\$115,563
01/28 7	78979783	52140-230757	6003	\$100.00	\$115,463
01/28 8	78610700	52140-230757	6001	-\$375.00	\$115,838
01/28 9	78610700	52140-230757	6003	-\$100.00	\$115,938
01/28 10717	77035072	99997-238003	7004	\$150.00	\$115,788
01/28 11409	76624477	35297-211712	7004	\$150.00	\$115,638
01/28 120	60924416	43315-245683	8021	\$40.00	\$115,598
01/28 121	60924414	43315-245682	8021	\$40.00	\$115,558
01/28 122	60924418	43315-245686	8021	\$40.00	\$115,518
01/28 123	60924415	43315-245684	8021	\$40.00	\$115,478
01/28 124	10548109	43289-222882	8021	\$40.00	\$115,438
01/28 92	11989394	42772-255699	1631	\$310.00	\$115,128
01/28 95	11989394	42772-255699	8021	\$40.00	\$115,088
01/28 93	11989394	42772-255699	1642	\$410.00	\$114,678
01/28 94	11989394	42772-255699	1633	\$210.00	\$114,468
01/28 173	12007968	36977-244326	8021	\$40.00	\$114,428
01/28 174	12007967	43289-255642	8021	\$40.00	\$114,388
01/28 13138	77381920	74725-255946	7001	\$325.00	\$114,063
01/28 13182	77381926	74725-255948	7001	\$650.00	\$113,413
01/28 11	78610716	52140-230758	6001	-\$375.00	\$113,788
01/28 123	12010545	32368-255349	1011	\$310.00	\$113,478
01/28 124	12010545	32368-255349	1111	\$510.00	\$112,968
01/28 125	12010545	32368-255349	1311	\$210.00	\$112,758
01/28 126	12010545	32368-255349	1202	\$50.00	\$112,708
01/28 12	78979787	52140-230758	6001	\$375.00	\$112,333
01/28 13	78610716	52140-230758	6003	-\$100.00	\$112,433
01/28 14	78979787	52140-230758	6003	\$100.00	\$112,333
01/28 13599	US0701875	32308-238718	8021	\$40.00	\$112,293
01/28 107	11878908	75183-246301	1252	-\$460.00	\$112,753
01/28 108	11878908	75183-246301	1253	\$1,050.00	\$111,703
01/28 13858	77381996	39240-255951	7001	\$325.00	\$111,378
01/28 214	10561175	37998-237505	1253	\$1,050.00	\$110,328
01/28 15196	10575430	NL 031207	1251	\$120.00	\$110,208
01/29 2091	11960975	76326-254472	8021	\$40.00	\$110,168
01/29 2206	77382329	74725-255964	7001	\$650.00	\$109,518
01/29 2304	77382337	74725-255966	7001	\$650.00	\$108,868
01/29 2396	77382345	74725-255967	7001	\$650.00	\$108,218



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPL NO.	FILING OR 371 (c) DATE	ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/561,175	02/16/2006	1615	515	2447.0030000/ELE/LMB	7	15	1

CONFIRMATION NO. 1959

26111

STERNE, KESSLER, GOLDSTEIN & FOX PLLC  
 1100 NEW YORK AVENUE, N.W.  
 WASHINGTON, DC 20005

## FILING RECEIPT



\*OC000000018393039\*

Date Mailed: 04/03/2006

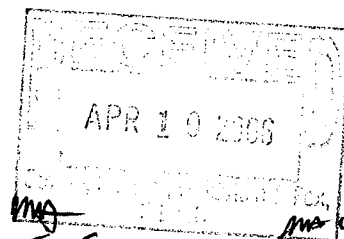
Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Frederic Henot, Bruxelles, BELGIUM;  
 Thierry Legon, Korbeek Lo, BELGIUM;  
 Jean Duchateau, Soignies, BELGIUM;

## Assignment For Published Patent Application

Biotech Tools S.A.

Power of Attorney: The patent practitioners associated with Customer Number **26111**.ELE  
LMB

LMB 4/12

## Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/06733 06/22/2004  
 which claims benefit of 60/530,629 12/19/2003

## Foreign Applications

EUROPEAN PATENT OFFICE (EPO) 03014020.6 06/23/2003  
 EUROPEAN PATENT OFFICE (EPO) 03029356.7 12/19/2003

If Required, Foreign Filing License Granted: 03/27/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/561,175**

Projected Publication Date: 07/06/2006

*Pet. For Expedite Foreign Filing License due July 16, 2006*  
*STATBAR due August 16, 2006*

DOCKETED

**Non-Publication Request:** No

**Early Publication Request:** No

**\*\* SMALL ENTITY \*\***

**Title**

Epitope composition for sublingual, buccal or enteric administration prepared by hydrolysis of antigenic structures with chymotrypsin

**Preliminary Class**

424

## **PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES**

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

---

### **LICENSE FOR FOREIGN FILING UNDER Title 35, United States Code, Section 184 Title 37, Code of Federal Regulations, 5.11 & 5.15**

**GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING

LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).